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PTO/SB/21 (04-07)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number	10/644,179
Filing Date	August 20, 2003
First Named Inventor	David T. Ross
Art Unit	3637
Examiner Name	Tran, Hanh Van
Attorney Docket Number	25493-457390

**ENCLOSURES (Check all that apply)**

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Request for Continued Examination (RCE)<br>Certificate of Facsimile |
|--|--|--|

**Remarks**

In the event any further fees are necessary to be paid, the Commissioner is authorized to debit Deposit Account No. 19-1351.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name 27717 - Seyfarth Shaw LLP

Signature

Printed name Joseph H. Herron

Date October 24, 2007

Reg. No. 53,019

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22319-1450 on the date shown below:

Signature

Typed or printed name Rose Ann White

Date October 24, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is in the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SS/30 (10-07)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/644,179
Filing Date	August 20, 2003
First Named Inventor	David T. Ross
Art Unit	3637
Examiner Name	Tran, Hanh Van
Attorney Docket Number	25493-457390

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on September 24, 2007

- ii. ☐ Other \_\_\_\_\_

- b. ☐ Enclosed

- i. ☐ Amendment/Reply

- iii. ☐ Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s) Declaration(s)

- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

- a. ☐ period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(b) required)

- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees any underpayment of fees or credit any overpayments to

- a. ☒ Deposit Account No. 19-1351 I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 CFR 1.17(e)

- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

10/25/2007 VBUI11 00000012 10644179

- iii. ☐ Other \_\_\_\_\_


01 FC:1801 A10.00 DA

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)


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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	October 24, 2007
Name (Print Type)	Joseph H. Herron	Registration No.	53,619

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence was deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	October 24, 2007
Name (Print Type)	Rose Ann White		

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PTO/SB/17 (10-07)

Effective on 12/09/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-171).

# **FEE TRANSMITTAL**

## **For FY 2008**

☐ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$810.00)

### **Complete if Known**

Application Number **10/644,179**  
Filing Date **August 26, 2003**  
First Named Inventor **David T. Ross**  
Examiner Name **Tran, Hanh Van**  
Art Unit **3637**  
Attorney Docket No. **25493-457390**

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**OCT 24 2007**

### **METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☒ Other (please identify): Deposit Account

☒ Deposit Account Deposit Account Number 19-1351

Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.18 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee

☒ Credit any overpayments

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### **FEE CALCULATION**

#### **1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

#### **2. EXCESS CLAIM FEES**

##### **Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

**Total Claims** - 20 or HP =          **Extra Claims** **Fee (\$)** **Fees Paid (\$)**

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims** - 3 or HP =          **Extra Claims** **Fee (\$)** **Fees Paid (\$)**

HP = highest number of independent claims paid for, if greater than 3

#### **3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets** - 100 =          **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fees Paid (\$)**

(round up to a whole number) x =

#### **4. OTHER FEES(S)**

Non-English Specification \$130 fee (no small entity discount)

Other (e.g., late filing surcharge, Request for Continued Examination (RCE))

**Fees Paid (\$)**

#### **SUBMITTED BY**

Signature

Registration No. 53,019  
(Attorney/Agent)

Telephone 312-460-5200

Name (Print/Type)

Joseph H. H. H.

Date October 24, 2007

This collection of information is required by 37 CFR 1.125. The information is required to obtain or retain a benefit by the public which is to be paid by the USPTO to process an application. This collection is approved by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the information to the USPTO. This collection is required for the USPTO to process an application. Any comments on the amount of time you require to complete this collection of information for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Approved by: \_\_\_\_\_